

90th Legislative Session – 2015

Committee: Senate Judiciary

Tuesday, February 10, 2015

P - Present
E - Excused
A - Absent

Roll Call

P Bradford
P Heinert
P Monroe
P Rusch
P Vehle
E Novstrup (David), Vice-Chair
P Tieszen, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Craig Tieszen, Chair.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 5, 2015.

Moved by: Monroe
Second by: Rusch
Action: Prevailed by voice vote.

SB 123: prohibit an employer from requiring an employee or applicant to provide passwords to personal accounts.

Presented by: Senator Bernie Hunhoff
Opponents: Justin Smith, American Council of Life Insurers
David Owen, South Dakota Chamber Of Commerce & Industry
Jim Hood, South Dakota Retailers Association

MOTION: AMEND SB 123

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On page 2, after line 10 of the printed bill, insert:

" Section 3. That chapter 60-11 be amended by adding thereto a NEW SECTION to read as follows:

The provisions of this Act do not apply if a duty arises out of state or federal statute, rule, regulation, case law, or rule of self-regulatory organizations.

Section 4. That chapter 60-11 be amended by adding thereto a NEW SECTION to read as follows:

The provisions of this Act do not prohibit an employer from conducting an investigation into a misappropriation of proprietary information or a violation of law or workforce policy."

Moved by: Bradford
Second by: Heinert
Action: Prevailed by voice vote.

MOTION: DO PASS SB 123 AS AMENDED

Moved by: Heinert
Second by: Bradford
Action: Failed by roll call vote. (3-3-1-0)

Voting Yes: Bradford, Heinert, Rusch

Voting No: Monroe, Vehle, Tieszen

Excused: Novstrup (David)

MOTION: DEFER SB 123 TO THE 41ST LEGISLATIVE DAY

Moved by: Vehle
Second by: Rusch
Action: Prevailed by roll call vote. (4-2-1-0)

Voting Yes: Monroe, Rusch, Vehle, Tieszen

Voting No: Bradford, Heinert

Excused: Novstrup (David)

SB 154: require that certain employees of the Department of Veterans Affairs be veterans.

Presented by: Senator Jason Frerichs (Handout: #1)
Representative Larry Zikmund
Proponents: Rick Barg, South Dakota VFW (Handout: #2)
Donald A. Dahlin, Beresford, self
Dennis D. Evenson, Clear Lake, self
Craig D. Evenson, Clear Lake, self
Royce Loesch, The American Legion Department Of South Dakota
George Arends, Sioux Falls, self

SB 154: require that certain employees of the Department of Veterans Affairs be veterans.

MOTION: DO PASS SB 154

Moved by: Heinert
Second by: Vehle
Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Bradford, Heinert, Monroe, Vehle, Tieszen

Excused: Rusch, Novstrup (David)

MOTION: PLACE SB 154 ON CONSENT CALENDAR

Moved by: Vehle
Second by: Bradford
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Monroe
Second by: Heinert
Action: Prevailed by voice vote.

Rena Ortbahn
Committee Secretary

Craig Tieszen, Chair